APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,323	03/09/2004	Hirotaka Matsumura	82478-5600	4275

21611   7590   09/10/2007
SNELL & WILMER LLP (OC)
600 ANTON BOULEVARD
SUITE 1400
COSTA MESA, CA 92626

EXAMINER
TAKELE, MESEKER

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
09/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/797,323	MATSUMURA ET AL.
	Examiner	Art Unit	
	Meseker Takele	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 June 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3 and 5-13* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3 and 5-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Office Action Summary   Part of Paper No./Mail Date 20070824

DETAILED ACTION

1.   This communication is responsive to the Amendment filed June 18, 2007.

2.   Claims 1-3 and 5-13 are pending in this application. Claims 1, 3, 11 and 13 are independent claims. In the instant Amendment, claim 4 was cancelled, claims 1-3 were amended and claims 5-13 added new. This action is made Final.

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hirayama (US Patent No.: 7,124,172).

As to claim 11, Hirayama discloses, an inquiry processing apparatus (processing inquiry, see, col., 2 lines, 1-10) comprising:

a first providing unit configured to provide hierarchically arranged web pages to as requested by a browser terminal via a network (such as providing a web pages see, web pages on network, to introduce products to users, more particularly relates to a network system enabling a user to inquire about a product, col., 5 line, 33, col., 5 lines, 55-67, col., 6 lines, 36-41 and col., 1

lines, 10-15), the web pages including an inquiry page for entering an inquiry from the browser

terminal relevant to content provided by the web pages and content pages (such as inquiry

contents, we page, see Figure 5 and abstract) .

a recording unit configured to record therein a history of the provision of content pages to

the browser terminal (example, such as inquiry information of users stored, customer request

management computer 320 see Figure 3, Figure 1 (element 320) and col., 4 lines, 35-38)

a receiving unit configured to receive an inquiry entered into the inquiry page via the

browser terminal (example, such as customer request management computer 320 receives

inquiries from users input, see Figure 1 (element 320).

a specifying unit configured to specify which of the content pages has an inquiry

button clicked to call the inquiry page on which the inquiry received by the receiving unit is

entered (example, such as call me, see Figure 2A (element 315)

a responding terminal (example, such as customer request management computer 320,

Figure 4 (element 320);

a second receiving unit configured to provide the received inquiry and information

indicating the content pages specified by the specifying unit for display on the responder

terminal used by a responder to enable responding to the inquiry based on knowledge of the

content pages previously provided to the browser terminal, the responder terminal being different

from the browser terminal (example, the response to the inquiry is transmitted from the

customer request management computer 320 to the personal computer 210, display, output see

col.,8 lines, 15-17 and Figure 1 (element 210)).

As to claim 13, Hirayama discloses, an inquiry processing method for enabling a

responding terminal to display information relevant to an inquiry from a browser terminal

(processing inquiry, display, see, col., 2 lines, 1-10 and Figure 1 (element 210)) comprising:

a first providing step configured to provide hierarchically arranged web pages to a

browser terminal via a network (such as providing a web pages see, web pages on network, to

introduce products to users, more particularly relates to a network system enabling a user to

inquire about a product, col., 5 line, 33, col., 5 lines, 55-67, col., 6 lines, 36-41 and col., 1 lines,

10-15), the web pages including an inquiry page for entering an inquiry and content pages (such

as inquiry contents, web page, see Figure 5 and abstract) .

a recording step of recording a history of the provision of content pages to the

browser terminal (example, such as inquiry information of users stored, customer request

management computer 320 see Figure 3, Figure 1 (element 320) and col., 4 lines, 35-38);

a receiving step of receiving to receive an inquiry entered into the inquiry page via the

browser terminal (example, such as customer request management computer 320 receives

inquiries from users input, see Figure 1 (element 320).

a specifying unit configured to specify which of the content pages has an inquiry

button clicked to call the inquiry page on which the inquiry received by the receiving unit is

entered (example, such as call me, see Figure 2A (element 315)

a second providing step of providing the received inquiry and information indicating the

content page specified by the specifying unit to the responder terminal used by a responder for

responding to the inquiry, the responder terminal being different from the browser terminal

(example, the response to the inquiry is transmitted from the customer request management

computer 320 to the personal computer 210, see col.8 lines, 15-17).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claims 1-2, 5-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hirayama (US Patent   No.: 7,124,172) in view of Fushimi et al. (US Pub. No.: 2004/0148232).

As to claim 1, Hirayama discloses, an inquiry processing apparatus (processing inquiry,

see, col., 2 lines, 1-10) comprising:

a first providing unit configured to provide hierarchically arranged web pages to a

browser terminal via a network (such as providing a web pages see, web pages on network, to

introduce products to users, more particularly relates to a network system enabling a user to

inquire about a product, col., 5 line, 33, col., 5 lines, 55-67, col., 6 lines, 36-41 and col., 1 lines,

10-15), the web pages including an inquiry page for entering an inquiry and content pages (such

as inquiry contents, web page, see Figure 5 and abstract) .

a recording unit configured to record therein a history of the provision of content pages to

the browser terminal (example, such as inquiry information of users stored, customer request

management computer 320 see Figure 3, Figure 1 (element 320) and col., 4 lines, 35-38)

a receiving unit configured to receive an inquiry entered into the inquiry page via the

browser terminal (example, such as customer request management computer 320 receives

inquiries from users input, see Figure 1 (element 320).

However Hirayama does not disclose a judging unit configured to judge, when the

inquiry is received, whether any content page of a predetermined hierarchical level has been

provided to the browser terminal, based on the history of the provision of content pages.

Fushimi from the same field of endeavor disclose a judging unit configured to judge,

when the inquiry is received, whether any content page of a predetermined hierarchical level has

been provided to the browser terminal, based on the history of the provision of content pages

(example, such as, Upon receiving the catalog data, the catalog aggregator 3 judges the catalog

provider who provided this catalog data (step S107), judging whether selected product catalog

can be provided or not, see paragraph [0115] and Figure 12 (element S189))

It would have been obvious to one ordinary skill in the art to have modified Hirayama's

processing inquiry at the time of the invention was made with judging as presented by Fushimi.

The motivation to combine to provide an electronic catalog aggregation apparatus

capable of providing credit information of trade participants including a product provider and a

product purchaser in relation to the catalog information such that a creditability of each trade

participant can be judged efficiently and quickly, so as to realize a safe electronic commerce

system.

Hirayama further discloses a second providing unit configured to provide the received

inquiry and a result of the judgment to a responder terminal used by a responder for responding

to the inquiry, the responder terminal being different from the browser terminal (example, the

response to the inquiry is transmitted from the customer request management computer 320 to

the personal computer 210, see col.8 lines, 15-17).

As to claim 2, Hirayama discloses the inquiry processing apparatus further (processing

inquiry, see, col., 2 lines, 1-10).

However Hirayama does not disclose checking unit configured to check, each time a

content page is provided to the browser terminal, whether the content page is of the

predetermined hierarchical level, wherein the recording unit records a result of the checking as

the history.

Fushimi from the same field of endeavor disclose checking unit configured to check, each

time a content page is provided to the browser terminal, whether the content page is of the

predetermined hierarchical level, wherein the recording unit records a result of the checking as

the history (example, catalog aggregator 3 has a management function unit 31 for realizing a

management function such as a catalog checking, see Figure 47 (element 224) and paragraph

[0087].

It would have been obvious to one of ordinary skill in the art to have modified the

modified Hirayama's processing inquiry at the time of the invention was made with checking

unit as presented by Fushimi.

The motivation to combine to provide an electronic catalog aggregation apparatus

capable of providing credit information of trade participants including a product provider and a

product purchaser in relation to the catalog information such that a creditability of each trade

participant can be judged efficiently and quickly, so as to realize a safe electronic commerce

system.

As to claim 5, Hirayama discloses wherein the predetermined hierarchical level is a

lowest level of the hierarchically arranged web pages (example such as descriptions of products,

requests for materials concerning products, and other content can also be given or made by

accessing the homepages in many cases, see col., 1 lines, 21-29).

As to claim 6, Fushimi discloses wherein the judging unit is configured to provide a

negative judgment if no content page of the predetermined hierarchical level has been provided

to the browser terminal (example, negative judgment such as whether the catalog provider or the

catalog user satisfies an examination condition or not is judged, examination (OK/NG), see

paragraph [0112] and Figure 5(element S47)).

As to claim 7, Fushimi discloses wherein the judging unit is configured to provide a

positive judgment if at least one content page of the predetermined hierarchical level has been

provided to the browser terminal (example, positive judgment such as whether the catalog

provider or the catalog user satisfies an examination condition or not is judged, examination

(OK/NG), see paragraph [0112] and Figure 5(element S47).

As to claim 8, Hirayama discloses wherein the responder terminal is configured to

display the result of the judgment (example, such as display, output, see Figure 1, (element 210).

As to claim 9, Hirayama discloses further comprising a database configured to store the

result of the judgment (example, such as computer 320 is a database for storing various more

detailed information regarding the products, see Figure 1 (element 320) and col., 6 lines, 27-30).

As to claim 10, Hirayama discloses 333wherein the responder terminal is configured to

display the history of the provision of content pages to the browser terminal (example, such as

responding to a received inquiry from the stored data, display, output, see Figure 1 (element 210)

and col., 6 lines, 36-40)

As to claim 12, Hirayama discloses, wherein the second providing unit further provides a

content page arranged at a lower level of the content page specified by the specifying unit to the

responder terminal (example, such as information providing system 300 arrange, see col., 13

lines, 31-35).

8.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hirayama (US

Patent No.: 7,124,172) in view of Fushimi et al. (US Pub. No.: 2004/0148232).

As to claim 3, Hirayama discloses, an inquiry processing method (processing inquiry,

see, col., 2 lines, 1-10).

However Hirayama does not specifically discloses electronic catalog presenting

apparatus.

Fushimi from the same field of endeavor disclose electronic catalog presenting apparatus

(example, such as electronic catalog aggregation apparatus, see abstract).

It would have been obvious to one ordinary skill in the art to have modified Hirayama's

processing inquiry at the time of the invention was made with electronic catalog aggregation

apparatus as presented by Fushimi.

The motivation to combine to provide an electronic catalog aggregation apparatus

capable of eliminating the catalog extraction, editing and delivery operations required for the

catalog provider with respect to each catalog user and the catalog receiving and accounting

operations required for the catalog user with respect to each catalog provider, so as to realize a

fast and efficient electronic catalog system.

Hirayama further discloses a first providing step of providing hierarchically arranged web pages to a browser terminal via a network (such as providing a web pages' see, web pages on network, to introduce products to users, more particularly relates to a network system enabling a user to inquire about a product, col., 5 line, 33, col., 5 lines, 55-67, col., 6 lines, 36-41 and col., 1 lines, 10-15), the web pages including an inquiry page for entering an inquiry and content pages (such as inquiry contents, see Figure 5) .

a recording step of recording therein a history of the provision of content pages to the browser terminal (example, such as inquiry information of users stored, customer request management computer 320 see Figure 3, Figure 1 (element 320) and col., 4 lines, 35-38);

a receiving step of receiving an inquiry entered into the inquiry page via the browser terminal (example, such as customer request management computer 320 receives inquiries from users input, see Figure 1 (element 320).

However Hirayama does not disclose a judging step of judging, when the inquiry is received, whether any content page of a predetermined hierarchical level has been provided to the browser terminal, based on the history of the provision of content pages.

Fushimi from the same field of endeavor disclose a judging step of judging, when the inquiry is received, whether any content page of a predetermined hierarchical level has been provided to the browser terminal, based on the history of the provision of content pages (example, such as, Upon receiving the catalog data, the catalog aggregator 3 judges the catalog provider who provided this catalog data (step S107), judging whether selected product catalog can be provided or not, see paragraph [0115] and Figure 12 (element S189))

It would have been obvious to one ordinary skill in the art to have modified the modified

Hirayama's processing inquiry at the time of the invention was made with judging as presented

by Fushimi.

The motivation to combine to provide the catalog aggregator 3 analyzes the catalog data

provided from the catalog provider to analyze what kind of conversion processing is necessary in

order to process this catalog data into the prescribed common format suitable for storing into the

common catalog database 35 and extracts items necessary for the processing, because the quality

of the catalog data can vary for different catalog providers and different occasions of the catalog

data providing.

Hirayama further discloses a second providing step of providing the received inquiry and

a result of the judgment to a responder terminal used by a responder for responding to the

inquiry, the responder terminal being different from the browser terminal (example, the response

to the inquiry is transmitted from the customer request management computer 320 to the

personal computer 210, see col.8 lines, 15-17).

Response to Arguments

9.   Applicant's arguments with respect to the amended claims have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE**

MONTHS from the mailing date of this action. In the event a first reply is filed within **TWO**

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this

final action.

Inquiry

11.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Meseker Takele whose telephone number is (571) 270-1653. The

examiner can normally be reached on Monday - Friday 7:30AM- 5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT

KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100